

**1401 PRE-DISPOSITION INVESTIGATION**Chapter: **Juvenile Justice Field Services**Section: **Investigations**

New Hampshire Division for Children, Youth and Families Policy Manual

Policy Directive:

Approved:

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Scheduled Review Date:

William W. Fenniman, DJJS Director

Related Statute(s): [RSA 169-B](#); [RSA 169-D](#);  
[RSA 170-G:16](#); and [RSA 186-C](#).

Related Admin Rule(s):

Related Federal Regulation(s):

Related Form(s):

Bridges' Screen(s) and Attachment(s):

The Division for Juvenile Justice Services (DJJS) is committed to professionalism in its delivery of juvenile probation and parole services. The application of balanced and restorative justice principles, the development and imposition of graduated sanctions, and vigilant regard for public safety, promotes personal accountability and acceptance of responsibility by juveniles who commit offenses. An essential element is a quality pre-dispositional investigation of delinquent minors and CHINS in order to provide the court with timely, relevant, and accurate data so that it may select the most appropriate disposition alternative(s).

**Purpose**

This policy establishes the procedures for JPPOs to conduct pre-dispositional investigations.

**Policy**

Following an adjudication that a juvenile has committed an offense, the assigned JPPO shall initiate a pre-dispositional investigation upon receipt of the court order authorizing the investigation. Information regarding the home conditions, school record, and the mental, physical and social history of the juvenile shall be obtained during the investigation. If ordered by the court, the investigation shall also include a mental and physical examination of the juvenile. Some of the data collected for the predisposition report may be collected by nonprofessional staff (i.e., paraprofessionals, volunteers, students, clerical workers), thus freeing JPPOs to use their skills for interpreting the data and developing a probation plan. The procedure for conducting predispositional investigations is as follows:

- I. Quality Assurance: The Field Bureau Chief or designee will supervise and review, on a continuing basis, the conduct of predisposition investigations, the preparation of reports and the provision of alternatives for the courts.
- II. Potential Supervision Plan: A potential supervision plan will be developed during the predisposition investigation and be included as a part of the predisposition report. The plan should include considerations of residence, school attendance, employment, special medical needs, etc. To the extent that it's possible the juvenile, his or her parents or guardians should participate in the plan. The plan should be realistic in that both the goals set and the resources required are attainable.
  - A. When probation is one of the disposition alternatives, JPPOs will identify the need for any special conditions of probation, if any, and recommend that these special conditions be appended to the general conditions of probations.

- III. Supervisor Review: All predisposition reports and recommendations are subject to review by a JPPS prior to submission to the court. This will help ensure that functions are being properly implemented in accordance with policy and procedure; ensure the court will receive the needed information in the correct format; ensure that all recommendations are reasonable and supported by the information provided; and contributes to the training of personnel and the development of skills and knowledge.
- IV. Case File: The JPPO will create and maintain an individual case file for each juvenile assigned for investigation. They will enter a copy of all the documents collected and/or prepared during the investigation and the predispositional investigation report. The JPPO compile the following documentation for the predispositional investigation report in each case file:
  - A. Authorization to Release Confidential Information;
  - B. Youth Information Sheet;
  - C. Victim Letter;
  - D. School Information Letter;
  - E. NH YDC Eligibility Guidelines Instrument;
  - F. Juvenile's birth certificate (obtained from family);
  - G. Juvenile's Social Security Card (obtained from family);
  - H. Juvenile's Health Insurance or Medicaid Identification Card (obtained from family); and
  - I. Juvenile's Immunization Record (obtained from school, health care provider or family).
- V. Record Checks: The JPPO will ascertain if the juvenile has any court, police, DCYF or DJJS record. The JPPO will check the following sources:
  - A. Department of Health and Human Services (DHHS) – Check the NH Bridges to determine whether the juvenile or family members have had a prior juvenile offense (DJJS) or protective services (DCYF) referral. The JPPO should check for case files in the local DHHS office record repository. If the juvenile or family is known to the agency, the JPPO reviews the records and obtains input from the currently or previously assigned DHHS staff.
  - B. Police Records – Contact the local law enforcement agencies where the juvenile currently or recently resided, and with the law enforcement agency that filed the juvenile petition. Prior police contacts include diversion program referrals and other non-judicial dispositions. The JPPO also obtains information regarding arrest and reported domestic disturbances concerning family and household members. If a law enforcement agency filed the current juvenile petition, the JPPO obtains a copy of the police investigation and arrest reports.
  - C. Motor Vehicle Records – If the juvenile is over the age of 16 years, the JPPO will obtain a motor vehicle record check. The JPPO will pay particular attention to motor vehicle misdemeanors and offenses involving alcohol or other intoxicants.
  - D. Court Records – Contact the clerk of the court that ordered the investigation to determine whether the juvenile has any prior juvenile or other court record. If the investigation

indicates that the juvenile may have a record in another NH court, then the JPPO will either request assistance from the DJJS office in that venue or submit a written request directly to the clerk of the court. For records maintained by non-NH courts, the JPPO will submit a written request to the clerk of the court. When required, the JPPO provides the clerk of the court where records are being sought with an "authorization to Release Confidential Information" signed by the parent or guardian, and/or a copy of the NH court order that authorizes the investigation. The JPPO requests records that include *certified* or *attested* copies of juvenile petitions and court orders from courts other than the one in which the dispositional hearing is being conducted, especially records from federal or out-of-state courts.

- E. Probation, Parole and Institutional Records – If the JPPO determines that the juvenile has prior probation, parole or institutional involvement, then the JPPO will contact the agency responsible for the supervision or custodial care to obtain further information. The JPPO will obtain a copy of prior investigations, classification and treatment reports, as well as offense history.
  - F. Self-Reported Records – Ask the juvenile and the parents to provide information regarding any prior arrests, court record or institutional confinement of the juvenile. The JPPO will contact the agencies of record for corroboration and additional information.
- VI. Family Interviews: The JPPO will schedule an appointment to interview the juvenile and the parents or legal guardian. When the interview occurs at the office, the JPPO will make a separate home visit to observe the juvenile's home conditions and neighborhood. The JPPO will obtain input regarding the offense(s) and a potential supervision plan, and to obtain family history. The JPPO will obtain the parent or guardian's signature on an "Authorization to Release Confidential Information" for each agency to be followed up with as part of the predisposition investigation.
- VII. School Connection: The JPPO will send a "School Information Letter" and an Authorization to Release Confidential Information" to the juvenile's current school requesting educational background information. If the juvenile is not currently attending school, then the JPPO will send the request to the last school attended. If the juvenile presently or previously received special education services, then the JPPO will send a copy of the "School Information Letter" and "Authorization to Release Confidential Information" to the special education office for the School Administrative Unit. School officials from whom the JPPO may obtain pertinent information about the juvenile include teachers, guidance counselors, special education coordinators and school administrators.
- VIII. Victim Connection: JPPOs will make personal contact (in person or by phone) with all identifiable victims of an offense being addressed by a pre-dispositional investigation. The JPPO will solicit victim(s) input and follow up by sending them a "Victim Letter". If the victim is a minor, is incompetent or is deceased, then the JPPO will solicit input from the victim's immediate family. When desired by the victim, the JPPO conducts a personal interview. If a victim seeks restitution from the juvenile, the JPPO will obtain appropriate documentation regarding actual or estimated losses and/or damages, insurance coverage (including deductibles) and claims submitted. The JPPO will document victim contact(s), even if the victim fails to respond or provide information. Access by victims to juvenile records, information and proceedings, including the identity of the juvenile, is confidential and governed by statute; the JPPO will *not* disclose information contained in such records or proceedings to the victim, but will instead refer the victim to the prosecutor and court.

IX. Additional Connections: The JPPO makes additional contacts as required in order to complete the investigation. The following individuals are typical sources of information needed for the investigation:

- A. Arresting Officer;
- B. Prosecutor and/or petitioner;
- C. Additional family members of the juvenile;
- D. Current or prior treatment providers;
- E. Other parties to the court proceeding; and
- F. Current or prior DJJS or DCYF case managers

The JPPO will furnish treatment providers with a signed "Authorization to Release Confidential Information" obtained in section V. above before requesting information about the juvenile or a family member.

X. Predispositional Report: The JPPO will prepare a written court predisposition investigation report upon completion of the pre-dispositional investigation. The report documents the investigative findings and provides dispositional recommendations. JPPOs will ensure the confidentiality of all predisposition investigation reports and will not leave them unattended.